



Irish Aid

An Roinn Gnóthaí Eachtracha agus Trádála
Department of Foreign Affairs and Trade

Teach na hAbhainn
23-27 Sráid Anraí
Luimneach

Riverstone House
23-27 Henry Street
Limerick

Our Ref: FOI/Req/18/028

21 February 2018

Dear Requester

I refer to the request which you have made under the Freedom of Information Act 2014 for access to records held by this Department, as follows:

All documentation submitted to the Department of Foreign Affairs in support of applications for funding by the charity Habitat for Humanity (Ireland) in the years 2013-2017, inclusive.

Copies of all communication between Habitat and Irish Aid from 1st January 2013 to December 31st 2017.

I refer also to the acknowledgement of your request which was sent to you on 30th January 2018.

I have identified 172 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant 142, part-grant 27 and refuse 3 of the records. Where access has been refused the information is exempt from release under Deliberations of FOI Bodies –*Section 29(1)(a)*; Functions and Negotiations of FOI bodies *Section 30(1)(a) and (b)*; Security, defence and international relations *Section 33(1)(d)*, Commercially sensitive information *Section 36(1)(b)* and personal information *Section 37(1)* as set out in the attached schedule.

Deliberative process

In reviewing the release of the records I considered the need for effective mechanisms to maintain public confidence in Government bodies through access to information on their performance; the right of the public to have access to information/obtain reasons for decisions; the accountability of administrators and scrutiny of decision making processes and the use of public funds. In considering non-disclosure I took into account the fact that release could prejudice the decision making process/impair future decisions by giving insight into the ongoing criteria by which the Civil Society Fund appraises applications, and in doing so compromise the competitive nature of the Fund. I am satisfied that the balance favours refusal rather than release on this occasion and in that light I have refused/part granted access to three records under *Section 29(1)(a)*.

Functions and Negotiations of the Department

I have considered Section 30(1)(a) and (b) of the 2014 Act in making my decision not to release certain information in three records. The release of the exempted information at this time could prejudice the decision making process/impair future decisions, as above, this was considered in the context that the competitiveness of the Civil Society Fund. In weighing these adverse consequences against the public interest, I have again considered the right of the public to have access to information; the need for an open, transparent and accountable civil service and the need for decision-making processes to be adequately scrutinised. I am satisfied that the balance favours refusal rather than release on this occasion.

International Relations

I have exempted access to information in eight records under section 33(1)(d) security defence and international relations. This Department is responsible for managing relations between Ireland and 178 countries and the successful conduct of such relations depends upon the creation and maintenance of trust and confidence between governments and other interlocutors. Not maintaining the mutuality of trust with regard to communications between or about States could reasonably be expected to adversely affect our international relations. For these reasons, I consider that the public interest in not granting access to the exempted information at this time outweighs the public interest in releasing it.

Commercially sensitive information

I have refused/part granted access to 11 records under Section 36(1)(b) of the Act given the commercially sensitive nature of the information they contain. The following were taken into consideration for disclosure of the records: the accountability of administrators and scrutiny of decision making processes and the use of public funds; the need for the public to be better informed and more competent to comment on and assess public affairs and policies and practices; the need for effective mechanisms to maintain public confidence in Government bodies by access to information on their performance of functions and the right of the public to have access to information/obtain reasons for decisions. On the other hand, I took into consideration the fact that Habitat for Humanity Ireland actively seeks funding from other donors; that Habitat for Humanity Ireland could reasonably expect to be at a financial loss as a direct result of release of the information and that Habitat for Humanity Ireland could reasonably expect its competitive position to be jeopardised if the information is released. Also, the names of external consultants have been redacted as their name being released could hinder future employment opportunities for them. On balance I am satisfied that the public interest is best served by not releasing the records.

Personal information

I have considered the public interest in the context of the public's right to access personal information. However, I am satisfied that on balance the broader community interest is best served by protecting the personal information that would otherwise not be available and have refused access to the relevant records. These records include personal details of the

beneficiaries, dates of birth and mobile numbers of board members and external consultants' names and contact details. In that light I have refused access to personal information in 15 records under Section 37 of the Act. -

Right of Appeal

Should you wish to appeal this decision, you may do so in writing to the Freedom of Information Unit, Department of Foreign Affairs and Trade, 76-78 Harcourt Street, Dublin 02 DX45 or by email to foi@dfa.ie. A fee applies for an appeal for access to non-personal information; the level of this fee has been set at €30. For methods of payment, please contact FOI Unit at foi@dfa.ie, or 01-4082857.

You should make your appeal within 4 weeks (20 working days) from the date of this notification. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Yours sincerely


Clare Clancy

